

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1 (Currently Amended). A recording and reproducing apparatus, comprising:

a recording medium having a storing portion for storing data programs and including a first management area for storing index data for managing said data programs, wherein said index data is an imperfect index data so that said data programs are unreproducible from said storing portion, and a second management area for recording management data for identifying said recording medium, wherein said recording medium is a hybrid disc including a reproduction-only area and a rewritable area, said reproduction-only area having recorded thereon said data programs and said second management area, and said rewritable area having recorded thereon said imperfect index data;

a recording and reproducing portion for recording and reproducing data from said ~~storing portion~~ hybrid disc including reproducing and ~~for~~ transmitting said management data; and

a signal generating portion for generating and transmitting a perfect index data based on said management data identifying said recording medium transmitted by said recording and reproducing portion so that said data programs are reproducible by said recording and reproducing portion,

wherein when said signal generating portion transmits said perfect index data to said recording and reproducing portion,

said recording and reproducing portion rewrites said imperfect index data recorded on said rewritable area of said hybrid disc with said perfect index data ~~and is enabled to reproduce~~, thereby enabling the reproduction of said stored data programs stored in said ~~storing portion~~ reproduction-only area of said hybrid disc.

Claims 2-5 (Canceled).

Claim 6 (Previously Presented). The recording and reproducing apparatus set forth in claim 1, further comprising:

a charge processing portion for performing a charging process before said signal generating portion generates said perfect index data,

wherein when said recording and reproducing portion reproduces said data programs stored in said storing portion, said recording and reproducing portion supplies said perfect index data to said signal generating portion and said charge processing portion performs said charging process, and

when said charge processing portion has completed said charging process, said signal generating portion generates said perfect index data.

Claim 7 (Previously Presented). The recording and reproducing apparatus set forth in claim 1, further comprising:

a terminal unit connected to said recording and reproducing portion; and

a server unit containing said signal generating portion,

said server unit being connected to said terminal unit through a communication network.

Claim 8 (Previously Presented). The recording and reproducing apparatus as set forth in claim 1, further comprising:

a terminal unit containing said signal generating portion, said terminal unit being connected to said recording and reproducing portion; and

a server unit connected to said terminal unit through a communication network.

Claim 9 (Previously Presented). The recording and reproducing apparatus set forth in claim 1, further comprising:

a charge processing portion,

wherein when said recording and reproducing portion reproduces said data programs stored in said storing portion, said recording and reproducing portion supplies a charging process signal to said charge processing portion so that said charge processing portion performs a charging process, and

after said charge processing portion has completed said charging process, said signal generating portion supplies said perfect index data to said recording and reproducing portion.

Claim 10 (Previously Presented). The recording and reproducing apparatus set forth in claim 9,

wherein said storing portion stores said charging process

signal and said perfect index data along with said data programs, and

said recording and reproducing portion rewrites said imperfect index data with said perfect index data received from said signal generating portion.

Claim 11 (Currently Amended). A recording and reproducing apparatus, comprising:

a recording and reproducing portion including a recording medium having a storing portion for storing data programs and including a first management area for storing index data for managing said data programs, wherein said index data is an imperfect index data so that said data programs are unreproducible from said storing portion, and a second management area for recording management data for identifying said recording medium, wherein said recording medium is a hybrid disc including a reproduction-only area and a rewritable area, said reproduction-only area having recorded thereon said data programs and said second management area, and said rewritable area having recorded thereon said imperfect index data, and said recording and reproducing portion records and reproduces data to/from said ~~storing portion~~ hybrid disc including reproducing and ~~transmits~~ transmitting said management data; and

a server unit having a signal generating portion for generating and transmitting a perfect index data based on said management data identifying said recording medium transmitted by said recording and reproducing portion so that said data programs

are reproduceable by said recording and reproducing portion,

wherein when said signal generating portion transmits said perfect index data to said recording and reproducing portion, said recording and reproducing portion rewrites said imperfect index data recorded on said rewritable area of said hybrid disc with said perfect index data ~~and is enabled to reproduce, thereby enabling the reproduction of~~ said stored data programs stored in said ~~storing portion~~ reproduction-only area of said hybrid disc.

Claims 12-15 (Canceled).

Claim 16 (Previously Presented). The recording and reproducing apparatus set forth in claim 11, further comprising:

a charge processing portion for performing a charging process before said signal generating portion generates said perfect index data,

wherein when said recording and reproducing portion reproduces said data programs stored in said storing portion, said recording and reproducing portion supplies said perfect index data to said signal generating portion and said charge processing portion performs said charging process, and

when said charge processing portion has completed said charging process, said signal generating portion generates said perfect index data.

Claim 17 (Previously Presented). The recording and reproducing apparatus set forth in claim 11, further comprising:

a charge processing portion,

wherein when said recording and reproducing portion reproduces said data programs stored in said storing portion, said recording and reproducing portion supplies a charging process signal to said charge processing portion so that said charge processing portion performs a charging process, and

after said charge processing portion has completed said charging process, said signal generating portion supplies said perfect index data to said recording and reproducing portion.

Claim 18 (Previously Presented). The recording and reproducing apparatus set forth in claim 17,

wherein said storing portion stores said charging process signal and said perfect index data along with said data programs, and

said recording and reproducing portion rewrites said imperfect index data with said perfect index data received from said signal generating portion.

Claim 19 (Previously Presented). The recording and reproducing apparatus set forth in claim 17,

wherein said charge processing portion is connected to said recording and reproducing portion and to said server unit through a communication network.

Claim 20 (Previously Presented). The recording and reproducing apparatus set forth in claim 19,

wherein identification data is stored in said terminal unit, and when said recording and reproducing portion reproduces said data programs stored in said storing portion, said terminal unit supplies said identification data to said charge processing portion, and

when said charge processing portion has determined that said terminal unit is valid based upon said identification data received from said terminal unit, said charge processing portion starts said charging process.

Claim 21 (Previously Presented). The recording and reproducing apparatus set forth in claim 20,

wherein when said charge processing portion has determined that said terminal unit is valid based upon said identification data received from said terminal unit, said charge processing portion is connected to said server unit through said communication network so that said charge processing portion performs said charging process and rewrites said imperfect index data with said perfect index data received from said signal generating portion.

Claims 22-31 (Canceled).